FILE REFERENCE NO: 20141220
ORDINANCE NO: 7780

AN ORDINANCE

ANNEXING the following property in the corporate limits of the City of Marietta, Georgia consisting of 0.249 acres and all associated right-of-way for Land Lot 12080, District 16, Parcel 0430 and being known as 1541 Rosewood Circle.

WHEREAS, application has been filed by **MARIETTA PROPERTIES, LLC** for annexing property in the corporate limits of the City of Marietta, Georgia; and,

WHEREAS, following proper notice, a public hearing was held before this body; and,

WHEREAS, all conditions of home rule annexation as set forth by the State Legislature have been met; and

WHEREAS, the Mayor and Council are authorized and empowered to describe Ward boundaries within the corporate limits.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MARIETTA, GEORGIA, THAT:

Section 1: Best Interest Determination:

Prior to annexing the property described herein, the Marietta City Council finds, as a matter of fact, that the annexation of the property described herein into the municipal corporation of the area proposed in the Application for Annexation would be in the best interest of the residents and property owners of the area proposed for annexation and of the citizens of the municipal corporation.

Section 2: The following property to wit:

ALL THAT TRACT or parcel of land lying and being in All that tract or parcel of land lying and being in Land Lots 1208 and 1241 of the 16th District, 2nd Section, Cobb County, Georgia, and being Tracts 5 and 6, shown as 0.244 acres of land according to plat of survey prepared by Krewson Vickrey Engineers and Land Surveyors dated August 14, 2001, and being more particularly described as follows:

To find the point of beginning, commence at an iron pin located at the intersection of the northerly right of way of Cloverdale Drive (50 foot right of way) and the westerly right of way of

Rosewood Circle (50 foot right of way); thence north 17 degrees 36 minutes 32 seconds east a distance of 146.01 feet along the westerly right of way of Rosewood Circle to an iron pin; thence continuing in a northerly direction along the westerly right of way of Rosewood Circle along an arc a distance of 83.74 feet to an iron pin; thence in a northerly direction along the westerly right of way of Rosewood Circle along an arc a distance of 26.42 feet to an iron pin located at the point of beginning; from said iron pin and point of beginning, thence in a northeasterly direction along the northwesterly right of way of Rosewood Circle along an arc a distance of 56.00 feet to an iron pin; thence in a northeasterly direction along the northwesterly right of way of Rosewood Circle along an arc a distance of 30.03 feet to an iron pin; thence north 45 degrees 56 minutes 07 west a distance of 45.74 feet to an iron pin; thence in a westerly direction along an arc (said arc being subtended by a chord bearing of north 52 degrees 29 minutes 28 seconds west a chord distance of 52.06 feet) a distance of 52.17 feet to an iron pin; thence north 59 degrees 02 minutes 45 seconds west a distance of 33.31 feet to an iron pin; thence south 23 degrees 08 minutes 03 seconds west a distance of 30.28 feet to an iron pin; thence south 37 degrees 34 minutes 12 seconds west a distance of 50.48 feet to an iron pin; thence south 48 degrees 59 minutes 52 seconds east a distance of 122.95 feet to an iron pin located at the point of beginning.

Section 3: The above-described property is hereby annexed into the corporate limits of the City of Marietta, Georgia, and shall have an effective date of January 1, 2015; except that for ad valorem tax purposes, the effective date of annexation shall be December 31, 2014.

Section 4: The above described property is hereby placed in Ward 7A within the corporate limits of the City of Marietta, Georgia.

Section 5: It is hereby declared to be the intention of this Ordinance that its sections, paragraphs, sentences, clauses and phrases are severable, and if any section, paragraph, sentence, clause or phrase of this Ordinance is declared to be unconstitutional or invalid, it shall not affect any of the remaining sections, paragraphs, sentences, clauses or phrases of this Ordinance.

Section 6: All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 7: This Ordinance shall become effective upon the signature or without the signature of the Mayor, subject to Georgia laws 1983, page 4119.

Final Ordinance submitted by:

Brian Binzer, Director
Department of Development Services

Approved as to form:

Douglas R. Haynie, City Attorney

Approved by City Council:

DATE: **December 10, 2014**

APPROVED:

R. Steve Tumlin, Jr.

R. Steve Tumlin, Jr., Mayor

ATTEST:

Stephanie Guy

Stephanie Guy, City Clerk